

CODE ENFORCEMENT BOARD
1st FLOOR COMMISSION CHAMBER
FORT LAUDERDALE CITY HALL
100 NORTH ANDREWS AVENUE
FEBRUARY 25, 2014
9:00 A.M.

<u>Board Members</u>	<u>Attendance</u>	Cumulative attendance 2/2014 through 1/2015	
		<u>Present</u>	<u>Absent</u>
Howard Elfman, Chair	P	1	0
Chad Thilborger, Vice Chair	P	1	0
Paul Dooley	P	1	0
Genia Ellis	P	1	0
Joan Hinton	P	1	0
Howard Nelson [arr. 9:05]	P	1	0
Jan Sheppard	P	1	0
PJ Espinal [Alternate]	A	0	1
Joshua Miron [Alternate]	A	0	1
Robert Smith [Alternate]	A	0	1

Staff Present

Bruce Jolly, Board Attorney
 Ginger Wald, Assistant City Attorney
 Yvette Ketor, Secretary, Code Enforcement Board
 Lori Grossfeld, Clerk III
 Peggy Burks, Clerk III
 Shani Allman, Clerk III
 Jeri Pryor, Code Enforcement Supervisor/Clerk
 Robert Masula, Building Inspector
 George Oliva, Building Inspector
 Gerry Smilen, Building Inspector
 Jamie Opporlee, Prototype Inc., Recording Secretary

Communication to the City Commission

None.

Respondents and Witnesses

CE12121194: Yoav Asher Peretz, agent
 CE12090938: Arthur Mikirtychev, new owner
 CE13060208: Miguel Alonso, general contractor
 CE12030025: Carlos Chavez, owner
 CE13032133: Tiffany Diaz, owner; William Evelyn, owner
 CE13071850: John Pineres, contractor; Alan Ornsky, owner

CE12111407: Robert Lehane, owner
CE11060536: George Brown Jr., tenant
CE11041855: Todd Ashworth, owner
CE13041946: Euvel Louis, owner's cousin
CE13120603: Rosa Salcedo, owner; Rubin Hernandez, owner's husband
CE13110120: Leas Attas owner; Sharon Kaplan, owner's daughter; Achiaz Oz, owner
CE13121100: Tal Hen, manager
CE13090035: James Hurchalla, attorney
CE13010761: Tracy Berkman, attorney
CE13031575: Peter Pedelty, owner; Jeffrey Pedelty, owner
CE13100920: Chad Hodder, general contractor
CE11100499: Michael James, owner; John Seabrook, contractor
CE10122009: Orlando Cicilia, attorney
CE13070636: Roni Herskovitz, owner
CE11092214: Clint Gordon, owner
CE04061463: Gopal Motwani, owner
CE13120871: Peter Scrocca, owner's son; Christina Garcia, contractor
CE13091177: Robin Aastrerud, owner's girlfriend
CE11041294: Steven Baggiero, owner's representative
CE14011484: Kevin Birch, owner
CE13050005: George March, owner

Chair Elfman called the meeting to order at 9:00 a.m., introduced Board members and explained the procedures for the hearing.

Individuals wishing to speak on any of the cases on today's agenda were sworn in.

Case: CE11060536

920 Northwest 9 Avenue
JAGITIANI, JAY

This case was first heard on 5/28/13 to comply by 7/23/13. Violations and extensions were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, reported progress was being made and recommended a 28-day extension.

George Brown Jr., tenant, confirmed they were working to comply.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to grant a 28-day extension to 3/25/14, during which time no fines would accrue. In a voice vote, motion passed 6-0.

Case: CE13091177

3210 Northwest 63 Street
STYCZYNSKY, RANDALL W

This case was first heard on 11/26/13 to comply by 1/28/14. Violations and extensions were as noted in the agenda. The property was not complied fines had accrued to \$5,400. The City was requesting amendment of the final Order to indicate a 2/25/14 compliance date.

Robert Masula, Building Inspector, explained that the property owner had been in a car accident and been in a coma. He was still in very poor condition and Inspector Masula recommended a 182-day extension.

Robin Ostrich, the owner's girlfriend, described Mr. Styczynsky's health issues and said it would be 60-90 days before he would be able to return to work.

Motion made by Ms. Ellis, seconded by Mr. Thilborger, to amend the Final Order to indicate a 2/25/14 compliance date, removing the accrued fines. In a voice vote, motion passed 6-0.

Motion made by Ms. Ellis, seconded by Mr. Thilborger, to grant a 182-day extension to 8/26/14, during which time no fines would accrue. In a voice vote, motion passed 6-0.

Mr. Nelson arrived at 9:05

Case: CE11100499

2330 Northwest 13 Street
JAMES, MICHAEL L

This case was first heard on 11/26/13 to comply by 1/28/14. Violations and extensions were as noted in the agenda. The property was not complied.

George Oliva, Building Inspector, stated the permit applications had been submitted and recommended a 56-day extension.

Motion made by Mr. Thilborger, seconded by Mr. Nelson, to grant a 56-day extension to 4/22/14, during which time no fines would accrue. In a voice vote, motion passed 6-1 with Ms. Ellis opposed.

Case: CE12090938

207 Northwest 7 Avenue
SOPHER INVESTMENTS INC

This case was first heard on 5/28/13 to comply by 7/23/13. Violations and extensions were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, reported all permits for the building had been issued and closed out but the parking issue remained.

Mr. Arthur Mikirtychev, new owner, agreed to do whatever needed to be done. He said he was aware of the parking issue when he bought the property.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to grant a 28-day extension to 3/25/14, during which time no fines would accrue. In a roll call vote, motion passed 4-3 with Ms. Sheppard, Mr. Thilborger and Ms. Ellis opposed.

Case: CE13010761

1721 Northwest 6 Avenue
K & K ASSETS LLC
% DUMAS & MCPHAIL

This case was first heard on 11/26/13 to comply by 1/28/14. Violations and notice were as noted in the agenda. The property was not complied, and the City was requesting imposition of the \$2,700 fine, which would continue to accrue until the violations were corrected.

George Oliva, Building Inspector, said there had been no activity or contact from the owner and recommended imposition of the fines.

Tracy Berkman, attorney, stated the owner was hiring a contractor to do the work. She said the owners lived out of state and wanted to prepare the property to sell it to the people who lived there. Ms. Berkman stated her client had purchased the property from a foreclosure in September 2012 unaware of the violations. They became aware of the violations in June 2013. She requested additional time to comply. Ms. Berkman confirmed the property was for sale. She stated there had been other code violations since the owner purchased the property but these had been complied.

Inspector Oliva stated the owner just needed to remove the two walls that had enclosed the carport illegally. A permit was not needed. He said no owner or contractor had ever contacted him regarding the violations.

Motion made by Mr. Nelson, seconded by Ms. Sheppard, to find that the violations were not complied by the Order date, and to impose a fine of \$2,700, which would continue to accrue until the violations were corrected. In a voice vote, motion passed 7-0.

Case: CE11041855

1120 Northeast 16 Court
ASHWORTH, TODD

This case was first heard on 9/24/13 to comply by 10/22/13. Violations and extensions were as noted in the agenda. The property was not complied.

Robert Masula, Building Inspector, described work the owner had done and said the permit application had failed and must be resubmitted with corrections. He stated this was a single family house in which a Florida room had been either enclosed or had an addition built onto it. Inspector Masula remarked that the plans submitted were not complete. He recommended a 56-day extension.

Todd Ashworth, owner, requested additional time to afford the repairs. He also asked that the doubled permitting fees be reduced since he had purchased the property unaware of the violations. Mr. Ashworth stated the County knew about the Florida room for the tax records. He said there had been no tenant in the Florida room for a year.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to grant a 56-day extension to 4/22/14, during which time no fines would accrue. In a voice vote, motion passed 6-1 with Ms. Sheppard opposed.

Case: CE11041294

3216 Northeast 42 Court
TESOLIN, BRUNO &
AULENSI, JERI LYNN

This case was first heard on 10/25/11 to comply by 1/24/12. Violations, notice and extensions were as noted in the agenda. The property was not complied, and the City was requesting imposition of the \$2,720 fine, which would continue to accrue until the violations were corrected.

Robert Masula, Building Inspector, said the permits that were issued had been closed out but a permit was still needed for the boat lift. He said the contractor who had installed the boat lift had not pulled a permit.

Steven Baggiero, the owner's representative, said the owner was working on compliance and requested 90 days.

Motion made by Mr. Nelson, seconded by Ms. Hinton, to grant a 56-day extension to 4/22/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12111407

641 Northeast 15 Avenue
LEHANE, ROBERT A

This case was first heard on 6/25/13 to comply by 8/27/13. Violations and extensions were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, reported the master permit had been issued in December, as well as an electrical permit in January. There were several other permits for which applications had been submitted. He recommended a 28-day extension. Inspector Smilen confirmed that only the plumbing violation remained.

Robert Lehane, owner, said he would pick up the plumbing permit later in the week.

Motion made by Mr. Nelson, seconded by Mr. Dooley, to grant a 28-day extension to 3/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE11092214

2637 Whale Harbor Ln
LAUDERDALE ISLES YACHT & TENNIS
LAUDERDALE ISLES YACHT CLUB
New Owner: Dijer LLC

This case was first heard on 3/27/12 to comply by 4/24/12. Violations and extensions were as noted in the agenda. The property was not complied.

George Oliva, Building Inspector, reported the case was 99.9% complied; only the electrical permit remained, and this was ready to be issued. He recommended a 28-day extension.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to grant a 28-day extension to 3/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE13100920

2115 Northeast 37 Drive # 133
HEIT REAL ESTATE LLC

This case was first heard on 11/26/13 to comply by 2/25/14. Violations were as noted in the agenda. The property was not complied.

Robert Masula, Building Inspector, reported the master permit had been issued on 2/4/14; the electrical and plumbing permits required contractors. He recommended no extension.

Chad Hodder, general contractor, stated he had submitted plans in November but it had taken until February for the plans to be corrected and approved. He said the owner informed him he would pull the electrical and plumbing permits later in the week.

Motion made by Ms. Ellis, seconded by Mr. Thilborger, to grant a 28-day extension to 3/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE04061463

3081 Harbor Drive
RAJ HOTELS LLC

This case was first heard on 1/26/10 to comply by 3/23/10. Violations and extensions were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, announced the case was complied.

Case: CE12030025

516 Northwest 21 Terrace
NY INVESTMENT GROUP LLC

This case was first heard on 10/22/13 to comply by 1/28/14. Violations, notice and extensions were as noted in the agenda. The property was not complied, and the City was requesting imposition of the fine, which would begin to accrue on 2/26/14 and would continue to accrue until the violations were corrected.

George Oliva, Building Inspector, reported only the window permit was not complied.

Carlos Chavez, owner, stated he was still awaiting the engineer's report to submit for the master permit. He requested a 28-day extension. Mr. Chavez informed Mr. Nelson that he had given the engineer a deposit in October 2013.

Inspector Oliva informed the Board that the property was boarded and secure and it was not an eyesore.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to grant a 56-day extension to 4/22/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12121194

318 Southwest 23 Street
ALBO INVESTMENTS LLC

This case was first heard on 9/24/13 to comply by 11/26/13. Violations, notice and extensions were as noted in the agenda. The property was not complied, and the City was requesting imposition of the fine, which would begin to accrue on 2/26/14 and would continue to accrue until the violations were corrected.

Gerry Smilen, Building Inspector, reported plans corrections and revisions had been resubmitted on 2/20/14; they had been picked up for corrections on 12/18/13.

Yoav Asher Peretz, agent, said everything had been submitted and they just needed inspection. He confirmed that the property was occupied by a tenant.

Inspector Smilen stated a permit had not been approved by all disciplines yet.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 2/26/14 and would continue to accrue until the violations were corrected. In a roll call vote, motion passed 5-2 with Mr. Dooley and Ms. Sheppard opposed.

Case: CE10122009

2343 Northwest 12 Court
MORTGAGE CAPITAL PARTNERS LLC

Certified mail sent to the owner was accepted on 2/11/14.

George Oliva, Building Inspector, testified to the following violations:
FBC(2010) 105.1

THIS BUILDING HAS BEEN ALTERED AND CONSTRUCTION
WORK PERFORMED WITHOUT OBTAINING THE REQUIRED
PERMITS AND INSPECTIONS:

1. THIS DWELLING WAS DAMAGED BY A FIRE AT THE
FRONT RIGHT CORNER (EAST SIDE) OF THE DWELLING
INSIDE THE MASTER BEDROOM ON DECEMBER 29, 2010.
THERE ARE NEW OWNERS AS OF JUNE 13, 2013. THE
DAMAGE WAS REPAIRED AND THERE'S A TENANT LIVING
INSIDE AS OF DECEMBER 11, 2013 OR BEFORE.
THE BUILDING HAS BEEN ALTERED AND THE FOOTPRINT
EXPANDED WITHOUT OBTAINING THE REQUIRED
CERTIFICATE OF OCCUPANCY. THE EXPANSIONS AND
ALTERATIONS ARE A FRAME ADDITION ON THE NORTH AND

WEST SIDE OF THE DWELLING DOUBLING THE FOOTPRINT
OF THE ORIGINAL BUILDING WITH AN ENCLOSURE OF THE
NORTH END OF THE CARPORT.

FBC(2010) 110.9

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED
AND/OR COVERED-UP WITHOUT OBTAINING THE REQUIRED
INSPECTIONS APPROVAL FROM THE BUILDING DEPARTMENT
THROUGHOUT THE PERMITTING AND INSPECTION PROCESS.

Inspector Oliva said this case was begun pursuant to a complaint from the Police Department regarding a fire inside a bedroom. He stated there were tenants living in the property. Inspector Oliva submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 28 days or a fine of \$100 per day, per violation.

Orlando Cicilia, bank attorney, said they wanted to repair the property but they had been unable to gain access from the tenants. They had already filed a motion for a writ of possession. He requested 60 to 90 days.

Mr. Nelson stated he could not assess the bank's willingness to comply until after the writ of possession hearing and asked if Inspector Oliva would consider withdrawing the case until April. Inspector Oliva did not recommend withdrawal because there was a tenant in an unsafe property. He said the tenant had appeared in the property after the bank took ownership. Mr. Cicilia said he was unsure how the tenants came to be in the property. He stated there was a "suspect lease" between the tenant and the prior owner and provided it to the Board to examine. This lease stipulated the tenants would perform work on the property in lieu of rent and the bank had never received any payment from the tenant.

Inspector Oliva said the prior owner had died 90 days after the fire and her niece had taken over the property but there was no insurance so she had boarded it up and let the bank take it back. He reiterated that the property had been empty after the prior owner died.

Motion made by Mr. Nelson, seconded by Ms. Sheppard, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 91 days, by 5/27/14 or a fine of \$100 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

The Board took a brief break.

Case: CE13031575

1725 Southwest 5 Street
PEDELTY, JEFFREY J
PEDELTY, PETER

This case was first heard on 7/23/13 to comply by 9/24/13. Violations, notice and extensions were as noted in the agenda. The property was not complied, and the City was requesting imposition of the fine, which would begin to accrue on 2/26/14 and would continue to accrue until the violations were corrected.

Gerry Smilen, Building Inspector, said he had spoken with the Community Development Department and the owner would apply for assistance for the repairs. If the application were approved, Community Development would supervise the work.

Peter Pedelty, owner, said he had the application but they needed a birth certificate to submit it.

Ms. Wald informed the Board that imposing the fines would not affect the application from Community Development.

Inspector Smilen recommended imposition of the fines.

Motion made by Mr. Nelson, seconded by Ms. Hinton, to find that the violations were not complied by the Order date, and therefore the fines as stated in the Order would begin on 2/26/14 and would continue to accrue until the violations were corrected. In a voice vote, motion passed 7-0.

Case: CE13090035

1645 E Lake Drive
R LEON WHITWORTH TR
WHITWORTH, R LEON TRSTEE

This case was first heard on 1/28/14 to comply by 2/25/14. Violations were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, reported no permit applications had been submitted and recommended no extension be granted.

James Hurchalla, attorney, said the owner had a survey done and had engaged a company to pull the permit and do the work. He said if the Building Department would not "waive" the encroachment requirement, they would remove the pavers. He stated they could get the work done within 28 days.

The Board took no action.

Case: CE13120603

1237 Northwest 13 Court
SALCEDO, ROSA J

Service was via posting on the property on 2/11/14 and at City Hall on 1/13/14.

George Oliva, Building Inspector, testified to the following violations:

FBC(2010) 105.1

THIS BUILDING HAS BEEN ALTERED AND CONSTRUCTION WORK PERFORMED WITHOUT OBTAINING THE REQUIRED PERMITS AND INSPECTIONS:

1. INTERIOR UPGRADING OF THE DWELLING, THE KITCHEN AND BATHROOM. ALL THE PLUMBING AND ELECTRICAL FIXTURES WERE REPLACED.
2. THE WINDOWS AND THE FRONT DOOR WERE REPLACED.
3. A NEW CENTRAL A/C WITH DUCTS WAS INSTALLED.

FBC(2010) 110.9

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED AND/OR COVERED-UP WITHOUT OBTAINING THE REQUIRED INSPECTIONS APPROVAL FROM THE BUILDING DEPARTMENT THROUGHOUT THE PERMITTING AND INSPECTION PROCESS.

Inspector Oliva stated on December 9, 2013, a Stop Work Order had been posted on the property. The owner had applied for a master permit on 2/3/14. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 28 days or a fine of \$10 per day, per violation. Inspector Oliva confirmed that the property was not occupied.

Ruben Hernandez, the owner's husband, said they were working on compliance and requested 28 days.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 56 days, by 4/22/14 or a fine of \$10 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE13032133

540 Southwest 15 Avenue
DIAZ, TIFFANY
EVELYN, WILLIAM

Service was via posting on the property on 2/10/14 and at City Hall on 2/13/14.

Gerry Smilen, Building Inspector, testified to the following violations:

FBC(2010) 105.1

THE SINGLE FAMILY DWELLING HAS BEEN ALTERED WITH
THE INSTALLATION OF NEW WINDOWS WITHOUT A PERMIT.

FBC(2010) 105.4.5

THE ELECTRICAL SYSTEM HAS BEEN ALTERED WITH
ADDITIONAL WIRING AND OUTLET BOXES INSTALLED ON
THE EXTERIOR OF THE BUILDING WITHOUT A PERMIT.

Inspector Smilen stated this case was begun pursuant to a complaint. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 28 days or a fine of \$10 per day, per violation.

Tiffany Diaz, owner, stated the work had been done prior to her buying the home. She stated the electrical box had been removed prior to her moving in. Ms. Diaz said the realtor had done work on the house.

Inspector Smilen said he needed to reinspect to verify the electrical box had been removed.

Motion made by Mr. Nelson, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 56 days, by 4/22/14 or a fine of \$10 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 6-1 with Ms. Ellis opposed.

Case: CE13070636

2400 Northwest 62 Street # 150

Tenant: D.H.S. INVESTMENTS LLC

Service was via posting on the property on 2/11/14 and at City Hall on 2/13/14.

George Oliva, Building Inspector, testified to the following violations:

FBC(2010) 105.1

ALTERATIONS ARE BEING DONE WITHOUT PERMITS. AS A
STOP WORK ORDER WAS ISSUED FOR WORKING W/O
PERMITS:

1. INTERIOR REMODELING.
2. THE FLOOR PLAN IS BEING CHANGED.
3. NEW ELECTRIC CIRCUITS FOR WALL OUTLETS AND
CEILING LAMPS OR OLD ONES ARE BEING RELOCATED.
4. THE AIR DUCTS SUPPLY IS BEING RUN TO THE NEW
OFFICE AREAS.

5. PLUMBING WORK TO BUILD A KITCHEN AREA IS IN PROGRESS.

FBC(2010) 110.9

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED AND/OR COVERED-UP WITHOUT OBTAINING THE REQUIRED INSPECTIONS APPROVAL FROM THE BUILDING DEPARTMENT THROUGHOUT THE PERMITTING AND INSPECTION PROCESS.

Inspector Oliva reported the case was begun pursuant to a complaint from the Fire Marshal. He stated a Stop Work Order had been posted on the property on 7/11/13 but the work had subsequently been completed. He remarked that the new room divisions would block the fire sprinklers from reaching them in the event of a fire. Inspector Oliva submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 28 days or a fine of \$100 per day, per violation.

Roni Herskovitz, owner, DHS Investments, said they had opened up a wall that the previous owners had closed off. He stated a Fire Marshal had inspected the property a few weeks ago and it had passed. Mr. Nelson referred to the photos and noted that there appeared to be much more work done than opening up a hallway. Mr. Herskovitz stated they had replaced drywall in the hallway without a permit, but said no electrical work had been done in the hallway. He informed the Board that the Fire Marshal had informed him that the entire building did not need to have sprinklers.

Mr. Herskovitz said he thought the Stop Work Order had been posted just for suite 150 but Inspector Oliva indicated the Order stated it was for the entire building. He explained that the Fire Marshal inspected for fire violations, not building violations and the Fire Marshal had emailed him expressing his concerns about the building. Inspector Oliva said three Stop Work orders had been posted at the building: on the door, in the hallway and at the entrance to an office.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 3/25/14 or a fine of \$100 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 6-1 with Mr. Dooley opposed.

Case: CE13110120

1501 Northwest 3 Avenue
1501-3RD AVENUE LLC

Certified mail sent to the owner was accepted on 2/11/14.

George Oliva, Building Inspector, testified to the following violations:
FBC(2010) 105.1

THIS BUILDING HAS BEEN ALTERED AND CONSTRUCTION WORK PERFORMED WITHOUT OBTAINING THE REQUIRED PERMITS, INSPECTIONS AND THE CERTIFICATE OF OCCUPANCY FROM THE CITY BUILDING DEPARTMENT:

1. THIS PROPERTY HAS A TWO FLOOR ADDITION ON THE REAR WITH A TWO CAR GARAGE ON THE FIRST FLOOR AND AN IN-LAW QUARTER ON THE SECOND FLOOR BUILT ON MARCH 22, 1978 UNDER PERMIT OA781500.
2. THE GARAGE HAS BEEN ENCLOSED AND SEPARATED INTO ANOTHER APARTMENT FOR RENT. THERE'S A TOTAL OF THREE RENTAL UNITS MARKED A - B - C - ON THE DOORS.
3. THE ELECTRICAL SUPPLY IS COMING FROM TWO ELECTRICAL METERS THAT ARE PROVIDING THE POWER TO THE THREE APARTMENTS. BY THIS ACTION THE OWNER IS INCREASING THE AMPERAGE LOAD IN THE MAIN ELECTRICAL PANEL OVER THE TOTAL AMPS LOAD RATING THAT WAS PERMITTED AND IT HAS BECOME AN ELECTRICAL FIRE HAZARD.
4. THREE NEW CENTRAL A/C'S WERE INSTALLED. TWO AT THE REAR UNITS, ONE AT THE FRONT UNIT.

FBC(2010) 110.9

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED AND/OR COVERED-UP WITHOUT OBTAINING THE REQUIRED INSPECTIONS APPROVAL FROM THE BUILDING DEPARTMENT THROUGHOUT THE PERMITTING AND INSPECTION PROCESS.

FBC(2010) 111.1.1

THE USE AND THE OCCUPANCY OF THIS DWELLING HAS BEEN CHANGED FROM THE ORIGINALLY PERMITTED OCCUPANCY CLASSIFICATION OF A SINGLE FAMILY WITH AN IN-LAW QUARTER TO A MULTI-FAMILY DWELLING WITHOUT OBTAINING THE REQUIRED PERMITS AND THE CERTIFICATE OF OCCUPANCY FROM THE BUILDING DEPARTMENT.

Inspector Oliva stated the case was begun pursuant to an email from the Property Appraiser's office. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 28 days or a fine of \$25 per day, per violation.

Sharon Kaplan, the owners' daughter, requested 56 days to comply. She said her parents had purchased the property in a foreclosure sale. They had hired an architect

to prepare documents and pull permits but the architect had never done the work. They had hired a new engineering in February to prepare documents to comply the violations.

Ms. Kaplan said the tenant had been given a notice of eviction three days ago.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 91 days, by 5/27/14 or a fine of \$20 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE13121100

1607 Northwest 13 Court
RH INVESTMENTS PROPERTIES LLC

Certified mail sent to the registered agent was accepted on 2/11/14.

George Oliva, Building Inspector, testified to the following violations:
FBC(2010) 105.1

THIS BUILDING HAS BEEN ALTERED AND CONSTRUCTION WORK PERFORMED WITHOUT OBTAINING THE REQUIRED PERMITS AND INSPECTIONS:

1. THE OWNERS DID INTERIOR RENOVATIONS IN THE KITCHEN AND TWO BATHROOMS. ONLY ONE BATHROOM WAS BUILT WITH PERMIT #00P12568, AS PER THE CITY'S PERMIT RECORDS.
2. POWER SUPPLY INSIDE THE DWELLING WAS UPGRADED WITH A NEW MAIN ELECTRICAL PANEL.
3. A CENTRAL A/C WAS INSTALLED WITH AIR SUPPLY DUCTS AND AN ELECTRIC HEATER.
4. THE EXISTING DWELLING'S WINDOWS WERE REPLACED.

FBC(2010) 105.4.5

THE TENANT IS COMPLAINING OF ELECTRICAL PROBLEMS TO FPL. THEY WERE CALLED BY THE TENANT TO INSPECT THE HOUSE AND THE FOLLOWING VIOLATIONS WERE REPORTED TO THE CITY BY THEM:

1. ALTERATIONS WERE DONE TO THE ELECTRICAL SYSTEM TO UPGRADE THE KITCHEN, BATHROOMS AND THE BACKSPLASH AREA MUST MEET THE N.E.C. 210.8 REQUIREMENTS.
2. A CENTRAL ELECTRICAL 7.5KW HEATER WAS INSTALLED.
3. THE MAIN CIRCUIT BREAKER PANEL HAS BEEN REPLACED WITHOUT BEING INSPECTED BY THE ELECTRICAL INSPECTORS. BY HIS ACTION THE OWNER HAS INCREASED

THE AMPERAGE LOAD TO THE MAIN ELECTRICAL PANEL
OVER THE TOTAL AMPS LOAD RATING THAT WAS
PERMITTED. IT HAS BECOME AN ELECTRICAL FIRE
HAZARD.

FBC(2010) 110.9

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED
AND/OR COVERED-UP WITHOUT OBTAINING THE REQUIRED
INSPECTIONS APPROVAL FROM THE BUILDING DEPARTMENT
THROUGHOUT THE PERMITTING AND INSPECTION PROCESS.

Inspector Oliva stated this case was begun pursuant to a complaint from the Fire Marshal's office on 12/17/13. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 28 days or a fine of \$10 per day, per violation.

Tal Hen, the owner's representative, said the tenant had denied access to the property until she was evicted recently. He requested 90 days to comply.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 56 days, by 4/22/14 or a fine of \$10 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 6-1 with Mr. Nelson opposed.

Case: CE13120871

3121 Northeast 51 Street # 105E
SCROCCA, PETER M
SCROCCA, THERESA P

Certified mail sent to the owner was accepted on 2/13/14.

Robert Masula, Building Inspector, testified to the following violations:

FBC(2010) 105.1

REMODELING OF KITCHEN AND TWO BATHROOMS AND
INSTALLING A NEW LAUNDRY ROOM WITHOUT THE REQUIRED
PERMITS OR INSPECTIONS.

FBC(2010) 105.4.3

COMPLETE DEMOLITION OF KITCHEN AND TWO BATHROOMS
WITHOUT THE REQUIRED PERMIT OR INSPECTIONS.

FBC(2010) 105.4.4

1. INSTALLING NEW PLUMBING FOR A NEW LAUNDRY
ROOM.

2. REMOVING AND REPLACING FIXTURES IN THE KITCHEN
AND TWO BATHROOMS.
WORK IS BEING DONE WITHOUT THE REQUIRED PERMITS OR
INSPECTIONS.

FBC(2010) 105.4.5

1. REMODELING OF KITCHEN AND TWO BATHROOMS. A NEW
SUB PANEL WAS INSTALLED FOR THE LAUNDRY ROOM AND
NEW ELECTRICAL LINES FOR WASHER AND DRYER.
WORK BEING DONE WITHOUT THE REQUIRED PERMITS OR
INSPECTIONS.

FBC(2010) 105.4.11

1. NEW DRYER BEING INSTALLED.
2. BATHROOM EXHAUST FANS REMOVED AND REPLACED.
WORK BEING DONE WITHOUT THE REQUIRED PERMITS OR
INSPECTIONS.

Inspector Masula stated on 12/20/13, a Stop Work Order had been posted at the property for work without permits and the unlicensed contractor had been arrested. Subsequently, the owners had hired a new contractor who had submitted permit applications on 2/12/14. Inspector Masula submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 28 days or a fine of \$20 per day, per violation.

Christina Garcia, contractor, said the permits had been pulled and they had done no additional work yet. She hoped to have the permits by the end of the week.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 56 days, by 4/22/14 or a fine of \$20 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE13071850

636 Northeast 14 Avenue
DAVCHI LLC

Certified mail sent to the owner was accepted on 2/11/14.

Robert Masula, Building Inspector, testified to the following violation:

FBC(2010) 105.4.10.1

THE ROOF WAS REPLACED WITHOUT THE REQUIRED PERMIT
OR INSPECTIONS. WENT FROM A TILE ROOF TO A SHINGLE ROOF.

Complied:

FBC(2010)

Inspector Masula submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 56 days or a fine of \$20 per day.

Alan Ornsky, owner, said the roofing contractor had not pulled a permit when he promised to do so and he had disappeared. Mr. Ornsky had hired a new contractor.

John Pineres, contractor, stated they had hired an architect to provide the as-built certification for work done without inspections. He requested 30 days.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 56 days, by 4/22/14 or a fine of \$20 per day would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE13041946

1160 Alabama Avenue
OLKINE, FONTILME
JEANTINOR, MARIE MONA

Certified mail sent to the owner was accepted on 2/11/14.

George Oliva, Building Inspector, testified to the following violation:
FBC(2010) 105.1

WOOD FENCE WAS INSTALLED ON THE FRONT OF THE
DWELLING WITHOUT A PERMIT.

Inspector Oliva said the case was opened pursuant to a complaint from the homeowners association. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 28 days or a fine of \$10 per day.

Euvel Louis, the owner's cousin, said he already had the application for the permit.

Motion made by Mr. Nelson, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 3/25/14 or a fine of \$10 per day would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

Case: CE14011484

3301 Northeast 32 Avenue # 303
BIRCH, KEVIN

Service was via posting on the property on 2/12/14 and at City Hall on 2/13/14.

Robert Masula, Building Inspector, testified to the following violations:

FBC(2010) 105.1

THE INTERIOR OF THE CONDO UNIT HAS BEEN DEMOED WITHOUT THE REQUIRED PERMITS, INCLUDING THE KITCHEN, MASTER BATHROOM, INTERIOR WALLS.

FBC(2010) 105.4.4

THE PLUMBING FIXTURES IN THE KITCHEN AND MASTER BATHROOM HAVE BEEN REMOVED WITHOUT THE REQUIRED PERMITS.

FBC(2010) 105.4.5

THE ELECTRICAL FOR THE INTERIOR OF THIS CONDO UNIT HAS BEEN DEMOED WITHOUT THE REQUIRED PERMITS, INCLUDING THE ELECTRICAL IN THE KITCHEN AND MASTER BATHROOM.

FBC(2010) 105.4.11

THE MECHANICAL EXHAUST FANS IN THE MASTER BATHROOM HAVE BEEN REMOVED WITHOUT THE REQUIRED PERMITS.

Inspector Masula stated a Stop Work Order had been posted on the property on 1/23/14 for work without permits. On 2/13/14 a permit application had been submitted. He submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 28 days or a fine of \$20 per day, per violation.

Kevin Birch, owner, said he had been unaware he needed permits but he had found an architect and a general contractor and the permit applications had been submitted.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 56 days, by 4/22/14 or a fine of \$10 per day, per violation would begin to accrue and to record the order. In a voice vote, motion passed 7-0.

The Board took a brief break.

Case: CE12020638

704 Southwest 24 Avenue
HUNTLEY, CASSANDRA M

Certified mail sent to the owner was accepted on 2/13/14.

George Oliva, Building Inspector, testified to the following violations:

FBC(2010) 105.1

THIS BUILDING HAS BEEN ALTERED AND CONSTRUCTION WORK PERFORMED WITHOUT OBTAINING THE REQUIRED

PERMITS AND INSPECTIONS:

1. INTERIOR UPGRADING OF THE DWELLING. IN THE KITCHEN AND BATHROOM, ALL THE PLUMBING AND ELECTRICAL FIXTURES WERE REPLACED.
2. A NEW CENTRAL A/C WITH DUCTS WAS BEING INSTALLED.

FBC(2010) 110.9

THIS WORK IS IN PROGRESS OR IT HAS BEEN PERFORMED AND/OR COVERED-UP WITHOUT OBTAINING THE REQUIRED INSPECTIONS APPROVAL FROM THE BUILDING DEPARTMENT THROUGHOUT THE PERMITTING AND INSPECTION PROCESS.

Inspector Oliva stated the case had begun pursuant to a complaint and a Stop Work Order had been posted on the property on 2/8/12. He said the bank had taken possession of the property on 11/15/10 but the County still showed Cassandra Huntley as the owner. Inspector Oliva submitted photos of the property and the Notice of Violation detailing the violations and corrective action into evidence, and recommended ordering compliance within 28 days or a fine of \$10 per day, per violation.

Motion made by Mr. Nelson, seconded by Ms. Hinton, to find for the City that the violations existed as alleged and to order the property owner to come into compliance within 28 days, by 3/25/14 or a fine of \$10 per day, per violation would begin to accrue and to record the order. In a roll call vote, motion passed 5-2 with Mr. Thilborger and Ms. Ellis opposed.

Case: CE10121519

4342 North Federal Highway
GERIG GROUP LLC

This case was first heard on 11/26/13 to comply by 1/28/14. Violations and extensions were as noted in the agenda. The property was not complied.

Robert Masula, Building Inspector, said the owner was working toward compliance. The plumbing and electrical permits had been issued. He explained that the master plans had been purged from the City's system and needed to be resubmitted. He recommended a 56-day extension.

Motion made by Mr. Nelson, seconded by Ms. Hinton, to grant a 91-day extension to 5/27/14, during which time no fines would accrue. In a roll call vote, motion passed 7-0.

Case: CE12121548

2701 Middle River Drive # 9
DIAMOND, MATTHEW F &
DIAMOND, CARRIE

This case was first heard on 10/22/13 to comply by 11/26/13. Violations and extensions were as noted in the agenda. The property was not complied.

Robert Masula, Building Inspector, said he had spoken with the owner the previous day. The electrical permit had been issued the previous day and the window permit was awaiting contractor registration.

Motion made by Mr. Thilborger, seconded by Ms. Ellis, to grant a 28-day extension to 3/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12121549

2701 Middle River Drive # 17
DIAMOND, JOHN JOSEPH IV &
DIAMOND, MATTHEW FRANKLIN

This case was first heard on 10/22/13 to comply by 11/26/13. Violations and extensions were as noted in the agenda. The property was not complied.

Robert Masula, Building Inspector, recommended a 28-day extension.

Motion made by Mr. Nelson, seconded by Ms. Hinton, to grant a 28-day extension to 3/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE13050005

2820 Northeast 30 Street # 2
MARCH, GEORGE P H/E
CESARIO, LINDA

This case was first heard on 7/23/13 to comply by 9/24/13. Violations and extensions were as noted in the agenda. The property was not complied.

Robert Masula, Building Inspector, said the plans submitted on 12/23/13 and had failed review. The contractor had been notified on 1/23/14 but the plans had not been picked up yet. He did not recommend an extension.

Motion made by Mr. Nelson, seconded by Ms. Hinton, to grant a 147-day extension to 7/22/14, during which time no fines would accrue. In a voice vote, motion failed 0-7.

Later in the meeting, the owner was present and requested the case be reopened and re-heard.

Motion made by Mr. Nelson to reopen the case to be reheard. Motion died for lack of a second.

Case: CE13100524

2591 Northeast 55 Court # 106
BELFIORE, DONALD J &
BELFIORE, GRACEANN

This case was first heard on 11/26/13 to comply by 1/28/14. Violations and extensions were as noted in the agenda. The property was not complied.

Robert Masula, Building Inspector, presented a letter from the condo unit owner requesting additional time to find a reasonably priced plumber.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to grant a 147-day extension to 7/22/14, during which time no fines would accrue. In a voice vote, motion failed 0-7.

Case: CE11071956

913 Northeast 4 Avenue
HANSEN, JOHN III

This case was first heard on 11/27/12 to comply by 2/26/13. Violations and extensions were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, said the plans had been picked up for corrections on 1/29/14 and recommended a 28-day extension. He explained that the tenant and the owner had struggled and the tenant had eventually been evicted, taking items from the building when he left.

Motion made by Mr. Nelson, seconded by Ms. Sheppard, to grant a 28-day extension to 3/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE12060451

1546 Southwest 24 Street
ORBEGOZO, NANCY

This case was first heard on 1/22/13 to comply by 3/26/13. Violations and extensions were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, stated only a fence permit was needed.

Motion made by Mr. Nelson, seconded by Ms. Ellis, to grant a 56-day extension to 4/22/14, during which time no fines would accrue. In a voice vote, motion failed 1-6 with only Ms. Sheppard voting in favor.

Case: CE13070910

1108 Guava Isle
ACKEL, THOMAS S

This case was first heard on 11/26/13 to comply by 1/28/14. Violations and extensions were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, reported the pergola permit application had been submitted on 2/11/14. He recommended a 28-day extension.

Motion made by Mr. Thilborger, seconded by Ms. Hinton, to grant a 28-day extension to 3/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE13071485

1820 Southwest 21 Street
THR FLORIDA LP

This case was first heard on 11/26/13 to comply by 1/28/14. Violations and extensions were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, reported nothing had been done to correct the violation. He recommended no extension be granted.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to grant a 56-day extension to 4/22/14, during which time no fines would accrue. In a voice vote, motion failed 0-7.

Case: CE13071653

1604 Southwest 9 Street
MIDLAND ATLANTIC LLC

This case was first heard on 1/28/14 to comply by 2/25/14. Violations were as noted in the agenda. The property was not complied.

Gerry Smilen, Building Inspector, reported the electrical permit application had been submitted on 1/27/14. It had failed plan review on 1/28/14 and not been picked up for corrections. He did not recommend an extension.

Motion made by Mr. Thilborger, seconded by Mr. Nelson, to grant a 91-day extension to 5/27/14, during which time no fines would accrue. In a voice vote, motion failed 0-7.

Case: CE13100827

1609 Northwest 11 Street
SCOTT, DONALD H/E
HYDE, MARY LEE & SCOTT, JOSEPH

This case was first heard on 11/26/13 to comply by 1/28/14. Violations and extensions were as noted in the agenda. The property was not complied.

George Oliva, Building Inspector, said the owner had submitted a permit application for the drywall. He recommended a 28-day extension.

Motion made by Mr. Nelson, seconded by Ms. Hinton, to grant a 28-day extension to 3/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Case: CE10070600

884 W Dayton Cir
JPMORGAN CHASE BANK

This case was first heard on 1/28/14 to comply by 2/25/14. Violations were as noted in the agenda. The property was not complied.

George Oliva, Building Inspector, said the bank had informed him that the case had gone to court and the property was given back to the owner but Inspector Oliva could not confirm this. He did not recommend an extension.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to grant a 91-day extension to 5/27/14, during which time no fines would accrue. In a voice vote, motion failed 0-7.

Case: CE12020791

1851 Southwest 37 Terrace
DIAZ, RAUL E
DIAZ, JORGE L

This case was first heard on 9/24/13 to comply per stipulated agreement by 1/28/14. Violations and notice were as noted in the agenda. The property was not complied, and the City was requesting imposition of the \$5,400 fine, which would continue to accrue until the violations were corrected.

George Oliva, Building Inspector, said nothing had been done after the owner signed the stipulated agreement. He recommended imposition of the fines.

Motion made by Mr. Nelson, seconded by Ms. Hinton, to find that the violations were not complied by the Order date, and to impose the fine of \$5,400, which would continue to accrue until the property was complied. In a voice vote, motion passed 7-0.

Case: CE13030717

2412 Cat Cay Lane
JERRY, JOLIE C
JERRY, MICHAEL V

This case was first heard on 11/26/13 to comply by 1/28/14. Violations and notice were as noted in the agenda. The property was complied, and the City was requesting imposition of the \$2,375 fine for the time the property was out of compliance.

George Oliva, Building Inspector, said administrative costs were \$520.

Motion made by Mr. Nelson, seconded by Mr. Thilborger, to find that the violations were not complied by the Order date, and to impose a fine of \$520 for the days the property was out of compliance. In a roll call vote, motion passed 4-3 with Mr. Dooley, Ms. Sheppard and Ms. Ellis opposed.

Case: CE13041115

201 Northeast 16 Avenue
HINDS, KEVIN &
LAYNE, PAUL J

This case was first heard on 7/23/13 to comply by 8/27/13. Violations, notice and extensions were as noted in the agenda. The property was not complied, and the City was requesting imposition of the \$135 fine, which would continue to accrue until the violations were corrected.

Gerry Smilen, Building Inspector, said there had been no action to comply; the fence application had failed review on 9/12/13 and was never picked up for corrections.

Motion made by Mr. Nelson, seconded by Ms. Hinton, to find that the violations were not complied by the Order date, and to impose the fine of \$135, which would continue to accrue until the property was complied. In a voice vote, motion passed 6-1 with Ms. Sheppard opposed.

Case: CE13101098

5871 Northeast 21 Drive
MEACHAM, JOSHUA A

This case was first heard on 1/28/14 to comply by 2/25/14. Violations and notice were as noted in the agenda. The property was not complied, and the City was requesting imposition of the fine, which would begin to accrue on 2/26/14 and would continue to accrue until the violations were corrected.

Robert Masula, Building Inspector, reported the master, electrical and plumbing permit applications had been submitted on 2/11/14 but the owner had not applied for mechanical or fence permits. By email, he had informed the owner, who lived out of state, that he must appear in person to complete the application process. Inspector Masula recommended a 28-day extension. He referred to the email response he had received from the owner, which indicated his frustration with being unable to meet with Inspector Masula when he was in Florida. The owner insisted he had complied with items Inspector Masula had requested, including completing the forms out of state and having them notarized. He also requested additional information about the violations.

Inspector Masula thought there may have been some misinformation given to the owner by Building Department representatives when he originally submitted the applications.

Motion made by Mr. Nelson, seconded by Ms. Sheppard, to grant a 28-day extension to 3/25/14, during which time no fines would accrue. In a voice vote, motion passed 7-0.

Approval of Meeting Minutes

Motion made by Ms. Ellis, seconded by Mr. Thilborger, to approve the minutes of the Board's January 2014 meeting. In a voice vote, motion passed 7-0.

Communication to the City Commission

None

For the Good of the City

No discussion.

Cases Complied

The below listed cases were complied. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record.

CE10120956	CE13060208	CE13060554	CE13090669
CE13100680	CE13101934	CE13080550	CE13100065
CE13100142	CE12050676	CE12111315	CE11092259
CE13070173	CE12100560		

Cases Withdrawn

The below listed cases were withdrawn. Additional information regarding respondents, violations, etc. can be found in the agenda, which is incorporated into this record.

CE13100966

There being no further business to come before the Board, the meeting adjourned at 12:24 p.m.


Chair, Code Enforcement Board

ATTEST:


Clerk, Code Enforcement Board

NOTE: The agenda associated with this meeting is incorporated into this record by reference.

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.

Minutes prepared by: Jamie Opperee, ProtoType Inc.